

SENATE BILL 1135

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 2,
relative to appealing the rejection of a ballot.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 8, is amended by adding the following new section:

(a) Upon receiving notice from an administrator of elections that a provisional ballot has been rejected under § 2-7-112(a)(3)(B)(v) or (e)(8), the person who cast the ballot may appeal the rejection to the state election commission not later than five (5) days after receipt of notice.

(b) Upon finding that a rejected provisional ballot was lawfully cast, the state election commission shall direct the administrator of elections who rejected the provisional ballot to count the ballot in the election for which the ballot was cast.

(c) The state election commission shall promulgate rules for the purpose of establishing the procedure by which an appeal is conducted under this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect upon becoming a law for purposes of promulgating rules, and on July 1, 2017, for all other purposes, the public welfare requiring it.